

**SPECIAL MEETINGS**

**CLOSED SESSION - 6:00 P.M.**

- A. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section 54957.6: MMCEA
- B. Conference with Legal Counsel pursuant to Government Code Section 54956.9, Anticipated Litigation, Significant Exposure to Litigation: Two Cases
- C. Conference with Real Property Negotiator Crist pursuant to Government Code Section 54956.8: Two Parcels, APN 045-163-070 and a portion of APN 044-162-180
- D. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation, Belmont v. Murphy

Attended by Councilmembers Feierbach, Wozniak, Dickenson, Lieberman, City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Finance Director Fil, Public Works Director Davis, City Engineer Borrmann, Police Chief Mattei, and Human Resources Director Dino. Mayor Braunstein was absent and City Clerk Cook was excused from attending.

**ADJOURNMENT** at this time, being 6:55 P.M.

**Terri**

**Cook**

**City Clerk**

This meeting was not tape recorded or videotaped.

**STUDY SESSION – 7:00 P.M.**

**FY 2010 Budget Strategic Planning Session**

Finance Director Fil outlined trends and projections that are being used to develop the budget for 2009-10. He noted that the City of Belmont is experiencing stable population growth, low inflation, and rising unemployment. He commented that although office vacancy rates have increased, they have been higher in previous years. Interest rates for investments at the Local Agency Investment Fund (LAIF) have likely bottomed out. The median home price continues to decrease.

Finance Director Fil reviewed revenues and revenue sources. He stated that the City of Belmont is experiencing a four percent property tax growth even though surrounding cities' growth is declining. Sales tax is flat. He discussed the one-time reallocation of County-wide property taxes that is under way that will affect all cities in the County. He provided details of the 10-year trend in sales tax revenue, and noted that transit occupancy tax (TOT) is still strong. He also discussed Vehicle License Fees and Gas Tax revenues.

Finance Director Fil reviewed expenditure forecasts. He noted that the number of personnel has decreased since 1999, and the rate for PERS (Public Employee Retirement System) has been

going down. He outlined the capital project program. He noted that, should the State propositions on the special May election not pass, this will have an impact on the City of Belmont.

Finance Director Fil outlined the policy directives that will affect budget preparation, and he reviewed budget assumptions. He noted that departments have been asked to identify a five percent (5%) correction plan, with a \$1.1 million target reduction, should it be needed.

In response to Councilmember Dickenson's question, Finance Director Fil stated that the hotel occupancy rate is stable in Belmont. He noted that many surrounding cities are increasing their TOT rates, which is something that could be considered during upcoming budget discussions. He clarified that a vote of the people is required to raise the TOT.

Councilmember Lieberman commented that during recessionary times people tend to use mid-level hotels and motels rather than high-end facilities, which could benefit Belmont.

Councilmember Dickenson stated that he does not support any reduction in first responders for public safety.

**ADJOURNMENT** at this time, being 7:30 P.M.

**Terri**

**Cook**

**City Clerk**

**REGULAR MEETING  
CALL TO ORDER 7:30 P.M.**

**ROLL CALL**

COUNCILMEMBERS PRESENT: Feierbach, Dickenson, Lieberman Wozniak,

COUNCILMEMBERS ABSENT: Braunstein

Staff Present: City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Public Works Director Davis, City Engineer Borrmann, Finance Director Fil, Police Chief Mattei, City Treasurer Violet, City Clerk Cook.

**PLEDGE OF ALLEGIANCE**

Led by City Clerk Cook.

**REPORT FROM CLOSED SESSION**

City Attorney Zafferano stated that Belmont v. Murphy (Closed Session Item D) has settled in the amount of \$50,000 which will be placed in the Tree Fund.

**SPECIAL PRESENTATIONS**

**Proclamation Declaring West Nile Virus, Mosquito and Vector Control Awareness Week**

Vice Mayor Wozniak read the Proclamation, which was accepted by Robert Gay from the San Mateo County Mosquito and Vector Control District, and Robert Blake, Belmont's representative to the District.

### **Arbor Day 2009 Proclamation**

Vice Mayor Wozniak read the Proclamation, which was accepted by Christopher Sturcken of the Belmont 4-H Club, an organization that has been involved in tree planting in Belmont for the past several years. Kristin Mercer, Belmont 4-H, noted that 4-H clubs have partnered with Arbor Day as part of a national goal to plant one million trees.

### **Presentation to Christine Keller for Contribution to the Police Department's K-9 Unit**

Vice Mayor Wozniak read the Proclamation. Police Captain DeSmidt stated that Ms. Keller had met Nitro, the K-9 Unit, and wanted to make a contribution for Nitro in her husband's memory. He noted that the contribution will enable the department to purchase a bullet proof vest for Nitro, and to send him to drug screening training.

### **Presentation to Ray Davis, Retiring Public Works Director**

Vice Mayor Wozniak read the Proclamation. Public Works Director Davis stated that the City of Belmont provided him with many challenges, and it was a great experience.

City Manager Crist complimented Public Works Director Davis for putting processes in place in his department in order to provide good customer service, citing several examples. Councilmember Feierbach expressed her appreciation for Mr. Davis's artwork. Councilmember Lieberman noted that the job of Public Works Director is tough, and he thanked Mr. Davis for his efforts. Councilmember Dickenson noted Mr. Davis's efforts on behalf of traffic calming. Councilmember Wozniak stated that until she read the proclamation, she had not known of the depth and breadth of Mr. Davis's contributions, which were many.

### **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Vice-Mayor Wozniak noted that this evening's meeting would be adjourned in memory of the recent tragedy in Oakland wherein four police officers were killed in the line of duty, and also in memory of Bill Banks, a retired Belmont Police Officer who died recently.

Vice-Mayor Wozniak also announced an upcoming workshop to be held in the City Council Chambers, hosted by Assembly member Jerry Hill, addressing the High Speed Rail Project. She also outlined the upcoming Earth Week activities in the City of Belmont. She noted that the League of Women Voters is sponsoring some seminars regarding the Electoral College and the upcoming special State-wide ballot measures in May.

### **AGENDA AMENDMENTS**

City Clerk Cook noted that a member of the public requested the removal of Item 4-C (Resolution Approving 40-Foot "No Parking" Zone at the Samtrans Bus Stop on Continentals Way) from the Consent Agenda for separate consideration. Councilmember Feierbach requested removal of item 4-F (Resolution Approving the Filing of the Safe Routes to School (SR2S) Grant with the California State Department of Transportation for Sidewalk Improvements along Alameda de las Pulgas) for separate consideration.

Vice-Mayor Wozniak stated that item 4-F would be held until the end of the meeting.

### **ITEMS APPROVED ON CONSENT CALENDAR**

**Approval of** Minutes of the Special and Regular Meeting of February 24, 2009, Special and Regular Meeting of March 10, 2009 and Special and Regular Meeting of March 24, 2009

**Approval of** Resolution 10106 Modifying Parking Regulations at 1110 Alameda de las Pulgas (Belameda Park and Belmont Library) and Establishing No Parking Restrictions from 10PM to 6AM

**Approval of** Resolution 10107 Approving a 50-Foot “No Parking” Zone on the East Side of Continentals Way at Ralston Avenue

**Approval of** Resolution 10108 Approving a Professional Services Agreement with Schaaf & Wheeler for an Amount not to Exceed \$72,000 and an Additional 10% Contingency of \$7,200 for the Design of the 2009 Storm Drain Improvement Project - City Contract Number 501

**Approval of** Resolution 10109 Authorizing an Amendment to Extend Insurance Brokerage Agreement with Alliant Insurance Services, Inc. in the Amount of \$82,400 for FY10, \$84,872 for FY11, and \$87,388 for FY12.

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Dickenson, the Consent agenda was unanimously approved, as amended, by a show of hands (4-0, Braunstein absent).

**ITEM REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION**

**Resolution Approving 40-Foot “No Parking” Zone at the Samtrans Bus Stop on Continentals Way**

**Mike Carter**, Belmont resident, noted that the existing bus stop was moved from a different location, and now people are missing the bus. He does not feel there is any issue regarding the geometrics of the roadway and the proposed relocation of the bus stop does not address the problem.

Councilmember Feierbach suggested postponing action on this issue for further clarification and study.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, this matter was continued to a date uncertain by a show of hands (4-0, Braunstein absent).

**HEARINGS**

**Public Hearing to Consider an Ordinance of the City Council of the City of Belmont Adding Section 21.93, Relating to the Sewer Treatment Facility Charge, to Article 4 of Chapter 21 of the Belmont Municipal Code and Adopting a Schedule for the Sewer Treatment Facility Charge**

Finance Director Fil provided a history on this matter of paying for Belmont’s share of the capital project for the rehabilitation of the sewer treatment facility, and outlined the Proposition 218 hearing process. He noted that the staff recommends postponing the implementation of the new fee for two years, due to the current economic situation. Outreach was made to those businesses that would be paying high fees. He clarified that initially no sunset clause was recommended so that there would be sufficient revenue to cover costs, but it was now recommended to sunset in 2047-2048. He noted that other cities are implementing costs one year

at a time. The proposed fee for Belmont sets the maximum annual fee, and it would be renewed annually.

City Manager Crist clarified that the issuance of debt for Belmont's share of the costs will proceed, even if the charge to property owners is deferred. The debt service will be structured to accommodate the postponement.

Vice Mayor Wozniak opened the Public Hearing.

**Henry Roth**, on behalf of Notre Dame de Namur University, stated that these charges are significant for the University, and expressed support for the deferral of the charges. He noted that the number of students identified for the University do not represent the FTE (full-time equivalent). The University is closed in the summer and, since water use is a component of the way charges are implemented, water use is higher in the winter for the University.

**Mary Morrissey-Parden**, business owner, stated that the City did not discuss this issue with businesses prior to issuing the notice, which is structured for parcel owners. She noted that in most cases, businesses will pay, even if they are not property owners. She recommended adopting the best practices utilized in the City of Redwood City, which is a nine percent increase based on water use. Belmont's rates are not structured correctly for Belmont businesses. She noted that her business will pay twice the amount as a single family home.

**Dave Warden**, Belmont resident, stated that there has not been sufficient outreach regarding this new charge and facts have been omitted from the notice. The proposed two-year postponement of the charge was not described. This is a large debt, and the rate of apportionment is unfair. He recommended that this be put to a vote of the people.

**Joshua Howard**, Tri-County Apartment Association, stated that the need for this new facility is recognized, but the timing is bad. He concurs regarding the two-year postponement, and he recommended seeking other revenue sources. He also agrees that this should be put to a vote.

**Fritz Schlatter**, Belmont resident, stated he is not protesting, because the project is needed. He previously objected to the prior method of one charge for all properties. He supports the change in methodology. He has questions regarding the previous year's sewer rates.

**Eric Schrumf**, Pacific Properties, expressed his appreciation for the outreach. He concurs that the facility is needed. He noted that Belmont's sewer fees are higher than other cities. He suggested seeking alternatives.

**Tim O'Brien**, Belmont resident, questioned whether or not a deferral of the charge would increase the cost. He expressed concern that if the rate is decreased for one person it will increase for another.

**Sean Brennan**, Belmont resident, expressed concern about the impact of this fee on those with fixed incomes, and the lack of an end date. He suggested that if this project is eligible for some of the stimulus monies, it should be applied for.

**Elie Alcheck**, Belmont resident, stated that he only received one notice but he owns several parcels. He expressed concern regarding high sewer fees. He supports a delay in the implementation of the charge and suggested seeking other revenue sources.

**William Sangervasi**, Belmont resident, stated that using water usage is the wrong basis for sewer charges. He noted that he took issue with this several years ago when the methodology changed from a per-parcel charge. He would prefer there be an end date for this new charge. He noted that other cities are not charging as much for their share of this facility charge, and commented that taxes are very high in California.

**Michael Kanazarian**, Belmont Chamber of Commerce, stated that many people threw away the notice because they thought it was junk mail. He asserted that more people would have attended the hearing, had they realized.

City Manager Crist stated that Belmont's sewer rates are not out of line with what other cities are charging. It was the City Council's desire to maintain a level charge for the life of the debt, and other cities may need to raise their rates in subsequent years in order to service the debt.

Finance Director Fil stated that staff has provided the Council with a rate comparison for other cities. Belmont has made many repairs on its system. He noted that the two-year delay in implementing the charge will result in approximately \$200,000 in additional cost.

In response to Council questions, Dan Child, SBSA General Manager, stated that the City of Belmont is continuing to work on issues related to water infiltration during the rainy season, and that wet-weather flows into the system have been reduced. Potential stimulus monies have been handled at the State level, and some monies have already been received. Grants for some shovel-ready projects have been applied for. Daily wet-weather flows are collected, and an annual report is generated.

Councilmember Feierbach stated that the City of Belmont desires to pay only its fair share of the force main replacement.

Mr. Childs stated that the methodology of charges is being considered by all the member agencies at SBSA, and that the force main is considered under common ownership. He recognizes that Belmont may be paying a portion of that which belongs to other cities, but this needs to be changed by a vote of the members. He noted that the other members have been discussing this issue.

Councilmember Lieberman described the capital project of rehabilitating the sewer treatment facility. The issue still remains regarding how costs are allocated among the member cities. Belmont's position is to pay only for what it uses, which could result in a cost savings. Wet-weather infiltration into the sewer system is a problem due to Belmont's ongoing infrastructure needs. Mr. Childs responded that during wet weather, flows are normally two to three times higher than in dry weather, but Belmont's flows are ten times higher.

Finance Director Fil clarified that individual entities can appeal the rate methodology, such as the University's issue as to the per-student charge. Regarding the Carlmont Shopping Center situation, he noted that they receive a blended rate which the property owner and tenants need to work out for themselves.

In response to Councilmember Wozniak's inquiry regarding outreach on this matter, Finance Director Fil stated that outreach was made to property owners who would be receiving a bill of \$5,000 or more. There were articles in the newspaper, as well as television coverage, information on the website, and a published Notice of Hearing. The City Council has had four meetings on this topic.

**John Farnkopf**, Consultant, stated that actual flow data was used when making the various calculations. He described the Los Angeles Sanitary model. Charges in other cities for this project will vary each year. He stated that the charges for Notre Dame de Namur University would average out based on the fact that the school is also closed during winter months. Since sewer meters are not used in Belmont, there is no other practical determination for setting rates. He described the infeasibility of installing meters.

**Dan Childs**, SBSA, stated that sewer meters are not feasible to monitor and are very expensive to install.

Finance Director Fil clarified that the existing ordinance allows property owners to install meters should they so choose.

Vice-Mayor Wozniak noted that the City Council would shortly be closing the Public Hearing, and property owners would need to file their protest prior to closing the Hearing.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, the Public Hearing was unanimously closed by a show of hands (4-0, Braunstein absent).

**RECESS: 9:37 P.M.**  
**RECONVENE: 9:50 P.M.**

City Clerk Cook noted that 130 protest letters were received, some of which represented more than one parcel.

Special Attorney Mandell noted that the number of letters received was not sufficient for a successful protest. He clarified that this ordinance requires four votes to pass. He described the options available, including the continuance of this item to a subsequent date.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, the Public Hearing was unanimously continued to April 28, 2009 by a show of hands (4-0, Braunstein absent).

**Public Hearing to Consider Rezoning of a Remnant Piece of Property to a Planned Development District Via Amendment of a Conceptual Development Plan, and a Negative Declaration at 700 Island Parkway**

Community Development Director de Melo described the proposed rezoning of the remnant parcel, and the Planning Commission's review and approval. He noted that the existing parcel has no zoning, and it is proposed to be rezoned the same as the surrounding parcels. He reviewed the findings to be made.

Vice-Mayor Wozniak opened the Public Hearing. No one came forward to speak.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, the Public Hearing was unanimously closed by a show of hands (4-0, Braunstein no).

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Lieberman, Resolution 10110 Adopting a Negative Declaration of Environmental Significance for the Rezoning Of A Remnant Piece Of The Property To A Planned Development District (PD) Via Amendment Of A Conceptual Development Plan (CDP) At 700 Island Parkway was unanimously approved by a show of hands.

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Feierbach, and unanimously approved by a show of hands (4-0, Braunstein absent) to introduce an Ordinance Rezoning a Remnant Piece of Property to a Planned Development District (PD) via Amendment of a Conceptual Development Plan (CDP) at 700 Island Parkway, to waive further reading, and to set the second reading and adoption for April 28, 2009.

**OLD BUSINESS**

**Discussion and Direction on Proposed Short and Long Term Changes to the Striping along Alameda de las Pulgas between Carlmont Drive and the South City Limits**

Public Works Director Davis reviewed the history of this project. He described the short-term solutions, including working with Sam Trans to relocate the bus stop on Alameda de las Pulgas. Long-term solutions include consideration of a round-about, re-routing the bike lane to a path on the Carlmont High School campus, one-way vehicular circulation through the campus, creating more on-campus parking and eliminating on-street parking.

**Tim O'Brien**, Belmont resident, expressed support for the short-term solutions as proposed. He commented that vehicular traffic makes routes to schools unsafe, and biking and walking should be encouraged. Providing more parking is not a long-term solution.

**Johanna Corvello**, Redwood City resident, stated that this is a safety and traffic flow issue, and she recommended restoring the traffic lane. She expressed support for off-street bike paths, and noted that long-term solutions take time and study to implement.

**Pat Giorni**, Burlingame resident, stated that bike and pedestrian rights are often ignored. Level of service of roadways is measured for cars only. Only three percent of Measure A funds is earmarked for bikes and pedestrians. She supports efforts to share the road, and suggested not restoring the vehicle lane. She does not support an off-street bike path, as it would be difficult to



maneuver. She recommended reducing the speed limit to 25 miles per hour, and eliminating diagonal parking. She expressed concern regarding road rage.

**Sean Brennan**, Belmont resident, stated that bikes are entitled to use the roadway. He suggested removing the on-street parking. He expressed concern regarding liability issues with the off-street bike path. He noted that much of Alameda de las Pulgas is one lane in either direction. He supports moving the bus stop.

Councilmember Feierbach noted the letter from the Silicon Valley Bike Coalition to the City Council expressing support for Share the Road policies. She supports the staff recommendation as presented. She noted that there is a need to work with Carlmont High School regarding this issue.

Councilmember Lieberman stated that the current situation is not healthy, and he also supports the staff recommendation for short- and long-term solutions.

Councilmember Dickenson stated that many resources have been expended on this issue. He noted this is a school zone. He expressed support for the removal of some on-street parking, and would support reconsideration of permit parking in the Chula Vista neighborhood. Pedestrians and bikes are entitled to use the road.

Councilmember Wozniak noted that the Silicon Valley Bike Coalition does not support the proposed bike path. She concurred regarding the need to work with Carlmont High School to develop a traffic plan. Traffic patterns have been changing daily. She expressed support for a 25 mile per hour zone and Share the Road signs. She also expressed support to preserve the crosswalk at Chula Vista Avenue.

Public Works Director Davis noted that if a traffic lane is designated as a bike lane, no signage is required. He also noted that having only one crosswalk will make it safer for pedestrians.

Discussion ensued.

**MEETING EXTENSION** at this time, being 10:25 P.M., on a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, the meeting was unanimously extended by 30 minutes, by a show of hands (4-0, Braunstein absent).

Discussion ensued regarding crosswalks. Council concurred to keep the crosswalk as they currently exist, and to implement other short-term solutions as proposed.

Councilmember Feierbach expressed support to revisit parking permits for the Chula Vista neighborhood.

**Resolution Regarding the City of Belmont's Intention to Issue Tax-Exempt 2009 Sewer Treatment Facility Revenue Bonds (Authorization Reimbursing Qualifying Sewer Treatment Facility Expenditures in Advance of Bond Sale)**

Finance Director Fil stated that the proposed resolution would protect Belmont's interest by reimbursing the South Bayside System Authority (SBSA) with future bonds.

Councilmember Feierbach stated that she cannot support the resolution until she has assurance from SBSA that Belmont is paying only for its share of the costs. She noted that the makeup of the SBSA board should be one entity, one vote.

| City Attorney Zafferano explained the weighted voting formula that exists for the SBSA Joint Powers Authority (JPA) and its application in the allocation of costs for the force sewer main.

Councilmember Lieberman stated that he respects Councilmember Feierbach's position. The money is owed to SBSA, for which there is no dispute. Interest is accruing, and if there is a delay, it will cost more to Belmont. If the resolution is not approved, it could undermine Belmont's efforts to address the force main issue. It is not a good way to negotiate the position. He recommended not combining the separate issues, as they are unrelated.

Councilmember Dickenson recommended postponing this item for one meeting in order for Councilmember Lieberman to attend the next SBSA meeting and present Belmont's position.

**ACTION:** Councilmember Lieberman made a motion to approve the resolution as proposed, with the addition of two additional clauses addressing Belmont's position regarding reallocation of costs associated with the force main, and that the JPA be updated to more adequately represent the interests of the member entities. This motion died for lack of a second.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, and approved by a show of hands (3-1, Lieberman no, Braunstein absent) to table this matter until the April 28<sup>th</sup> Council meeting to allow Councilmember Lieberman to attend one additional SBSA meeting to present Belmont's position.

### **Resolution of the City of Belmont Stating Its Intention to Revise Sewer Charges Effective Tax Year 2009-10**

City Engineer Borrmann reviewed the previous discussions regarding the annual sewer charge, and noted that a nine percent increase has been recommended. The Infrastructure Committee has provided no recommendation. The Finance Commission recommended deferral of the bond sale.

**John Farnkopf**, Consultant, noted that the Council previously discussed a reward system for those who conserve. He noted that the proposed rates are tiered, and there may be a legal issue should preferential treatment be given to any rate payer. A delay in the bond sale will delay capital projects. He outlined options for various rate structures. He clarified that moving immediately to a pay-as-you-go system would result in a 60 percent increase in rates, and a gradual phase-in would result in a 19 percent increase, neither of which is realistic. He described the effect of implementing an option that transitions from debt to cash.

**MEETING EXTENSION** at this time, being 11:00 P.M., on a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, the meeting was unanimously extended by 30 minutes, by a show of hands (4-0, Braunstein absent).

City Engineer Borrmann noted that Option 1 provides the lowest rate increase. She outlined the Proposition 218 Hearing process.

In response to Councilmember Dickenson, Public Works Director Davis described the allocation of personnel costs in various funds.

Councilmember Feierbach expressed the need to fix the wet-weather infiltration situation.

Councilmember Wozniak expressed support to postpone capital projects.

Special Council Mandell stated that this matter could proceed, and details can be worked out. Council can set the ceiling, and a lower rate could always be adopted.

In response to Councilmember Lieberman, Mr. Farnkopf stated that a rate increase of nine percent will still affect the ability to complete all desired capital projects.

Councilmembers Lieberman and Feierbach expressed support for a seven percent increase. Councilmember Dickenson recommended a three percent increase.

Councilmember Lieberman noted that the proposed rates are similar to those in other cities, and is lower than many. He noted that Belmont has sewer infrastructure needs.

Councilmember Dickenson expressed concern regarding future year increases.

Councilmember Feierbach expressed concern that a lower rate increase will not provide sufficient revenue to complete projects.

Discussion ensued.

**MEETING EXTENSION** at this time, being 11:30 P.M., on a motion by Councilmember Lieberman, seconded by Councilmember Wozniak, the meeting was unanimously extended by 30 minutes, by a show of hands (4-0, Braunstein absent).

**ACTION:** On a motion by Councilmember Lieberman, seconded by Councilmember Feierbach, Resolution 10111 Stating Intention to Revise Sewer Charges Effective Tax Year 2009-10 (seven percent increase) was approved by a show of hands (3-1, Dickenson no, Braunstein absent).

Consultant Farnkopf clarified the new rates, at seven percent, as follows:

\$254.83 fixed fee

\$3.57 low-strength unit charge

\$6.51 high-strength unit charge

**ITEM REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION\_(continued from earlier)**

**Resolution Approving the Filing of the Safe Routes to School (SR2S) Grant with the California State Department of Transportation for Sidewalk Improvements along Alameda de las Pulgas**

Councilmember Feierbach inquired if the grant would be needed if the shrubbery were to be cut back.

Public Works Director Davis responded that there is a need to move the fence, in addition to cutting shrubbery.

**ACTION:** On a motion by Councilmember Feierbach, seconded by Councilmember Dickenson, Resolution 10112 Approving the Filing of the Safe Routes to School (SR2S) Grant with the California State Department of Transportation for Sidewalk Improvements along Alameda de las Pulgas was unanimously approved by a show of hands (4-0, Braunstein absent).

**NEW BUSINESS**

**Informational Report on the Request for Stop Signs at the Intersection of Hiller Street and Wessex Way**

Public Works Director Davis stated that when a request for a stop sign in at Hiller Street and Wessex Way was made two years ago, it did not meet the criteria as set out in City guidelines for the installation of a stop sign. During a recent review of the intersection, it was determined that it still does not meet the criteria. There is a liability issue if the City installs an unwarranted stop sign. There is low compliance rate on stop signs in the area. Stop signs do not control speed. There are environmental concerns with a stop sign installation. A review of collision history reveals a low rate for traffic volumes in the area. There are concerns regarding queue backups onto Ralston should a stop sign be installed. The Police Department does not support the installation.

Councilmember Dickenson stated that traffic has increased in the area, and the intersection is often impassable. There is a blind turn in the roadway, and he is concerned regarding pedestrian safety. This should be a controlled intersection. Traffic patterns changed after the remodel of the AM/PM gas station. He is challenging the staff recommendation. Staff needs to enforce existing stop signs.

Councilmember Feierbach stated that the installation of a stop sign at this intersection may discourage the use of Hiller Street as a cut-through.

City Attorney Zafferano stated that there may be an issue regarding the City not following its own standards regarding stop sign installation.

Discussion ensued regarding the standards. Council concurred to postpone this issue to the next meeting.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, and unanimously approved by a show of hands (4-0, Braunstein absent) to continue this matter to the April 28<sup>th</sup> meeting.

**COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL  
ASSIGNMENT UPDATES, AND STAFF ITEMS**

**Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee  
Assignments**

No report.

**Verbal Report from City Manager**

No report.

**MATTERS OF COUNCIL INTEREST/CLARIFICATION**

**Consideration of Resolution Supporting Employee Free Choice Legislation (Feierbach) -  
continued from 3/24/09**

Continued to April 28, 2009

**Hold a town hall meeting on current use of Federal, State and local funds (Dickenson)**

Continued to April 28, 2009

**Draft a letter, resolution, to add elected to SBWMA voting board (Dickenson)**

Councilmember Dickenson requested that staff prepare a resolution to request that the South Bayside Waste Management Authority charter be amended to allow cities to choose an elected official as their representative.

**ACTION:** On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, and unanimously approved by a show of hands (4-0, Braunstein absent) to direct staff to draft a resolution for future consideration.

**Explore the option to allow businesses to install a sewer flow meter for use in future rate  
structure (Lieberman)**

Councilmember Lieberman stated that this issue was addressed during the sewer hearing held earlier.

**ADJOURNMENT** at this time, being 11:53 P.M.

**Terri**

**Cook**

**City Clerk**

Meeting Tape Recorded and Videotaped  
Audio Recording 724